

REMARKS

Claims 1, 3, 4, 6, 10, 12, 13, 16-19 and 22-24 presently appear in this case. No claims have been allowed, although claims 15 and 21 have been indicated to be allowable if re-written in independent form, including all of the limitations of the base claim and any intervening claims. The official action of March 4, 2009, has now been carefully studied. Reconsideration and allowance are hereby respectfully urged.

Briefly, the present invention relates to a composition that is a clear gel for use in skin care and protection. The composition includes 30% - 80% of actual Dead Sea water, a nonionic solubilizer, a hydrophobic active agent, a gelling agent or viscosity modifier, and deionized water. The components are present in amounts that in combination provide a clear gel.

Claims 1, 4, 10, 12, 13 and 16 have been rejected under 35 USC 103(a) as being unpatentable over Kyotaro in view of Cantin et al. Claim 6 been rejected under 35 USC 103(a) as being unpatentable over Kyotaro and Cantin as applied to claims 1, 4, 10, 12, 13 and 16 and further in view of Thompson. Claims 3, 18, 19 and 22-24 have been rejected under 35 USC 103(a) as being unpatentable over

Kyotaro, Cantin and Thompson as applied above and further in view of Flick. Claim 17 has been rejected under 35 USC 103(a) as being unpatentable over Kyotaro and Cantin as applied above and further in view of Boratyn.

It is noted that claims 15 and 21 are not included in any of these rejections. The examiner has objected to claims 15 and 21 as being dependent upon a rejected base claim but states that they would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 1 has now been amended to insert the subject matter of previously appearing claim 15. Accordingly, claim 1 is now effectively claim 15 rewritten in independent form including all of the limitations of the base claim and any intervening claims. All of the remaining claims are dependent from claim 1 and are thus now allowable for the same reasons that the examiner has considered claim 15 (now amended claim 1) to be allowable. Accordingly, reconsideration and withdrawal of all of the rejections and allowance of all of the claims now present in the case are respectfully urged.

It is submitted that all of the claims now present in the case clearly define over the references of record and

fully comply with 35 USC 112. Reconsideration and allowance are therefore earnestly solicited.

Respectfully submitted,

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